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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JEREMY SHAWN SUTHERLAND,

11 Petitioner,

No. CIV S-05-0532 MCE DAD P

12 vs.

13 JEANNE S. WOODFORD,

14 Respondent.

ORDER

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17 Petitioner is a state prisoner proceeding with this application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. On March 11, 2008, the court ordered petitioner's counsel
19 of record, attorney Jack Hamlin, to inform the court whether he was still representing petitioner
20 and, if so, to submit a notice of change of address. On March 26, 2008, Mr. Hamlin submitted a
21 notice of change of address and an association of counsel, in which he stated that he had left the
22 active practice of law but had associated with attorney Mark Caruana of Carlsbad, California.
23 However, Mr. Caruana had not been admitted to practice before this court and a substitution of
24 attorneys had not been filed. Therefore, by order dated November 25, 2008, this court ordered
25 Mr. Hamlin to file a proper substitution of attorneys pursuant to Local Rule 83-182. On January
26 21, 2009, when no substitution of attorneys had been filed, the court issued an order to show case

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1 why monetary sanctions should not be imposed on Mr. Hamlin for failure to comply with the
2 November 25, 2008 order.

3 On February 19, 2009, Mr. Hamlin filed a declaration in response to the order to
4 show cause. He declares that Mr. Caruana has now been admitted to practice before this court
5 and that a substitution of attorneys was served on all parties to this action on "January 7, 2008"
6 [sic]. However, a substitution of attorneys has not been filed with the court.

7 Accordingly, good cause appearing, IT IS HEREBY ORDERED that:

8 1. The January 21, 2009 order to show cause is discharged; and

9 2. Within fourteen days from the service of this order, Jack Hamlin, counsel of
10 record for petitioner, shall filed a proper substitution of attorneys with this court pursuant to
11 Local Rule 83-182(g). Failure to comply with this order may result in the imposition of
12 sanctions.

13 DATED: March 3, 2009.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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